

NEWS RELEASE

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JUNE 3, 2004

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DeNUCCI SAYS DEPT. OF PUBLIC SAFETY IS LAX ON ELEVATOR INSPECTIONS

State Auditor Joe DeNucci reported today that the Department of Public Safety is doing a poor job of inspecting elevators in Massachusetts, raising serious public safety concerns.

According to DeNucci's audit, DPS is not enforcing a law requiring annual inspections of all elevators. In addition, the department is not conducting timely re-inspections of elevators that are under repair or have been shut down because they are unsafe, and is not imposing and collecting fines for violations of the law.

"The state's elevator inspection program is ineffective and has clearly compromised the public's safety," said DeNucci. "Without a well-managed elevator inspection program, the public has little assurance that elevators are in safe and satisfactory operating condition."

DeNucci's audit, which examined escalators as well as elevators, covered 84 MBTA sites, including busy subway stops such as Park Street, Downtown Crossing, Government Center, North Station, Copley, Kenmore, Harvard, Broadway and Braintree. Trips to 65 other frequently used facilities, including hospitals, nursing homes, medical centers, hotels, shopping malls, public schools and colleges, were also made. The audit found that 38 percent of these facilities, including nine of 18 public schools, had elevators with expired inspection certificates.

According to DeNucci's audit, DPS inspected 19,319 of the 32,800 elevators and escalators in the state during fiscal year 2002. Of these, 28 percent failed inspection, and 351 were deemed to be unsafe for use and ordered shut down. Furthermore, 75 percent of the 5,300 elevators that failed inspection were not re-inspected in a timely manner to determine if repairs had been made.

In addition, DeNucci's audit revealed that owners of 13,661 elevators did not apply for an inspection during fiscal year 2002, costing the Commonwealth more than \$1.3 million in revenue that would have been generated by inspection fees.

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Moreover, the audit found that DPS does not place a priority on re-inspecting elevators that have failed a prior inspection but were not shut down. DeNucci also determined that although DPS is authorized to impose fines of up to \$500 on elevator owners who ignore the annual inspection requirement or who fail to comply with any of the other applicable laws and regulations, the department has no policies or procedures in place for penalizing these violators.

In its response to DeNucci's audit, DPS attributed its inspection failures to inadequate staffing and funding. The department indicated it is taking steps to reduce the number of elevators that have not been inspected for long periods of time.

DeNucci also urged DPS to review inspection fees annually to determine if the amount charged is adequate to offset the cost of the inspection. Although DPS, while the audit was in progress, recently increased its inspection fee to \$400, the price had been set at \$100 for 11 years prior to DeNucci's audit.

In another area, DeNucci reported that DPS' elevator inspection database contained numerous inaccuracies and inconsistencies. For example, the number of elevators listed in the database was 19,744 less than the listing of the number of locations with elevators, and information on certificate expiration dates was missing for 1,252 elevators.

In its response, DPS said it will take steps to improve its database, including additional error checking on inspection and work order dates. DPS also indicated it will continue to seek funding for a modern elevator permitting system to replace the aging database system currently in use.

"The Department of Public Safety should take whatever steps are necessary to ensure that the public is properly protected against elevator and escalator problems," concluded DeNucci.